

EXHIBIT A

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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

No. 2:18cv530

CSX TRANSPORTATION, INC.,
individually and on behalf
of NORFOLK & PORTSMOUTH BELT
LINE RAILROAD COMPANY,

Plaintiff,

v.

NORFOLK SOUTHERN RAILWAY COMPANY,
et al.,

Defendants.

Remote Proceedings

January 13, 2021

9:38 a.m. - 6:40 p.m.

VIDEO DEPOSITION OF ROBERT GIRARDOT
(via Teleconference)

Taken before SUZANNE VITALE, R.P.R., F.P.R.
and Notary Public for the State of Florida at Large,
pursuant to Notice of Taking Deposition filed in the
above cause.

Job No. CS4395739

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1 THE VIDEOGRAPHER: We can't see your face,
2 Madam Court Reporter. If you can tilt it down
3 a little bit.

4 THE WITNESS: It just says that it was
5 resolved, and that's our complaint, is that the
6 NS-appointed board members were not acting in
7 the interest of NPBL because if they were, they
8 would not have voted to discontinue these
9 trackage rights.

10 BY MR. WINGFIELD:

11 Q. Are you aware that there was a STB
12 proceeding filed to discontinue service with respect
13 to removal of diamond?

14 A. Yes, I am.

15 Q. Did CSX ask to participate in that STB
16 proceeding to oppose removal of the diamond?

17 A. I'm aware that CSX -- I'm not aware that
18 CSX did. I don't think they did.

19 I think that the STB application was
20 misrepresented. It was false. It said that this
21 could be removed and still maintain access --
22 effective access to the industry. So I think this
23 was misrepresented, even to the STB.

24 Q. Well, be that as it may, CSXT could have
25 made its position known, including any accusations